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MINUTES OF COUNCIL REGULAR MEETING – NOVEMBER 24, 2009

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THE CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, NOVEMBER 24, 2009, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Russ Brooks
Carolynn Burt
Joel Coleman
Corey Rushton
Steve Vincent
Mike Winder

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

Buzz Nielsen, Police Chief
Kevin Astill, Parks and Recreation Director
Jim Welch, Finance Director
Richard Catten, City Attorney
Russell Willardson, Public Works Director
Nicole Cottle, Community and Economic Development Director
John Evans, Fire Chief
Karen Christensen, Acting Community Preservation Director
Aaron Crim, Administration
Craig Thomas, Administration
Jake Arslanian, Public Works Department

14758 OPENING CEREMONY

The Opening Ceremony was conducted by Mike Winder who discussed a newly elected mayor's training meeting he attended the previous week at Harvard University. He also related conversations with mayors of communities throughout the country. He recited an inspirational quote from Winston Churchill.

14759 SCOUTS

Mayor Nordfelt welcomed Scout Troop No. 1151 in attendance to complete requirements for the Citizenship in the Community merit badge.

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**14760 APPROVAL OF MINUTES OF REGULAR MEETING HELD
NOVEMBER 10, 2009**

The Council read and considered Minutes of the Regular Meeting held November 10, 2009. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Regular Meeting held November 10, 2009, as written. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

**14761 PRESENTATION OF “ESSENTIAL PIECE” AWARD TO RANEE
TADEMY**

Councilmember Burt read the nomination of Ranee Tademmy to receive the “Essential Piece” award for his volunteer work with youth in the community. The award was presented and the City Council congratulated the recipient and expressed appreciation for his efforts on behalf of West Valley City.

**14762 PROCLAMATION RECOGNIZING FASSIO EGG FARMS, MEMBER OF
THE UNITED EGG PRODUCERS, FOR THEIR CONTRIBUTIONS TO
THE PROPER CARE OF EGG LAYING HENS AND TO THE PEOPLE
OF THE CITY OF WEST VALLEY CITY**

Councilmember Rushton read a proclamation recognizing Fassio Egg Farms, member of the United Egg Producers, for their contributions to the proper care of egg laying hens and to the people of West Valley City.

14763 COMMENT PERIOD

Upon inquiry by Mayor Nordfelt, the following individuals addressed the City Council during the comment period:

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Fynbo (no first name given) 4160 West 3830 South, addressed the City Council. Mr. Fynbo wished the City Council a Happy Thanksgiving and stated residents of the City should be grateful to be represented by this wonderful group.

Salea (last name inaudible), 3920 West Daypark Drive, addressed the City Council and informed he was the scoutmaster of the group in attendance at the meeting. He inquired if there were service opportunities for the scouts. Mayor Nordfelt suggested the City Manager, Wayne Pyle, could be contacted in that regard.

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RESOLUTION NO. 09-400, APPROVE THE PURCHASE OF TEN VEHICLES FROM HENRY DAY FORD FOR USE BY THE POLICE DEPARTMENT AS PATROL VEHICLES

City Manager, Wayne Pyle, presented proposed Resolution No. 09-400 which would approve purchase of ten vehicles from Henry Day Ford, in an amount not to exceed \$272,140.00, for use by the Police Department as patrol vehicles.

Mr. Pyle stated the Police Department had acquired funding from JAG Recovery Grant #2009-SB-89-1411 and would like to purchase vehicles for use by the Department. He indicated the grant would reimburse the City for the purchase.

The City Manager reported the City would select Henry Day Ford as the supplier for ten vehicles for use by the Police Department. He advised that Henry Day Ford was within the City limits and had provided quotes for those ten vehicles that fell within the one percent over State contract pricing, and therefore qualified under the West Valley City Purchasing Code under Section 5-2-108 City Provider Preference.

After discussion, Councilmember Coleman moved to approve Resolution No. 09-400, a Resolution Approving the Purchase of Ten Vehicles from Henry Day Ford for use by the Police Department as Patrol Vehicles. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes

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Mayor Nordfelt

Yes

Unanimous.

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CONSENT AGENDA:

- A. **RESOLUTION NO. 09-401, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF SUSAN KLINKER AS A MEMBER AND CHAIR OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-401 which would ratify his reappointment of Susan Klinker as a member and chair of the Utah Cultural Celebration Center Advisory Board for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Klinker's term would expire on December 31, 2009, and she desired to serve another term.

- B. **RESOLUTION NO. 09-402, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF ERNESTO "KIKO" CORNEJO AS A MEMBER OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-402 which would ratify his reappointment of Ernesto "Kiko" Cornejo as a member of the Utah Cultural Celebration Center Advisory Board for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Cornejo's term would expire on December 31, 2009, and he desired to serve another term.

- C. **RESOLUTION NO. 09-403, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF DRU AND LESLIE DRURY AS A MEMBER OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, presented proposed Resolution No. 09-403 which would ratify his reappointment of Dru and Leslie Drury as a member of the Utah Cultural Celebration Center Advisory Board for the term January 1, 2010, through December 31, 2010.

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Mr. Pyle stated Dru and Leslie Drury's term would expire on December 31, 2009, and they desired to serve another term.

D. RESOLUTION NO. 09-404, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF CAROL EDISON AS A MEMBER OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, presented proposed Resolution No. 09-404 which would ratify his reappointment of Carol Edison as member of the Utah Cultural Celebration Center Advisory Board for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Edison's term would expire on December 31, 2009, and she desired to serve another term.

E. RESOLUTION NO. 09-405, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF MARGARET PETERSON AS A MEMBER OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, presented proposed Resolution No. 09-405 which would ratify his reappointment of Margaret Peterson as a member of the Utah Cultural Celebration Center Advisory Board for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Peterson's term would expire on December 31, 2009, and she desired to serve another term.

F. RESOLUTION NO. 09-406, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF PAUL ROSS AS A MEMBER OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, presented proposed Resolution No. 09-406 which would ratify his reappointment of Paul Ross as a member of the Utah Cultural Celebration Center Advisory Board for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Ross's term would expire on December 31, 2009, and he desired to serve another term.

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G. RESOLUTION NO. 09-407, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF SOULEE STROUD AS A MEMBER OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, presented proposed Resolution No. 09-407 which would ratify his reappointment of Soulee Stroud as a member of the Utah Cultural Celebration Center Advisory Board of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Soulee Stroud's term would expire on December 31, 2009, and he desired to serve another term.

H. RESOLUTION NO. 09-408, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF CRAIG THOMAS AS A MEMBER OF THE UTAH CULTURAL CELEBRATION CENTER ADVISORY BOARD OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010

City Manager, Wayne Pyle, presented proposed Resolution No. 09-408 which would ratify his reappointment of Craig Thomas as a member of the Utah Cultural Celebration Center Advisory Board for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Thomas's term would expire on December 31, 2009, and he desired to serve another term.

I. RESOLUTION NO. 09-409, APPROVE A RIGHT-OF-WAY AGREEMENT WITH REAL ESTATE INVESTMENT PARTNERS, LLC FOR PROPERTY LOCATED AT 3749 SOUTH CONSTITUTION BOULEVARD; AND ACCEPT A SPECIAL WARRANTY DEED

City Manager, Wayne Pyle, presented proposed Resolution No. 09-409 which would approve a Right-of-Way Agreement with Real Estate Investment Partners, LLC, the amount of \$24,000.00, for property located at 3749 South Constitution Boulevard; and accept a Special Warranty Deed.

Mr. Pyle stated Real Estate Investment Partners, LLC, had signed the Right-of-Way Agreement and Special Warranty Deed.

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The City Manager reported the subject parcel was one of the properties affected by construction and renovations at the Valley Fair Mall. He also reported acquisition of right-of-way would be for a deceleration lane and shared driveway access into the Mall property for the proposed In-N-Out Burger. He stated compensation for purchase of the right-of-way would be in the amount of \$24,000.00 negotiated based on the appraisal amount of \$16,375.00 prepared by Bodell-Van Drimmelen Commercial Appraisers. He indicated additional compensation had been agreed to in order to avoid costs and time associated with condemnation.

J. RESOLUTION NO. 09-410, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JANYCE C. SIMMONS FOR PROPERTY LOCATED AT 3387 SOUTH PEARCE DRIVE

City Manager, Wayne Pyle, presented proposed Resolution No. 09-410 which would accept a Grant of Temporary Construction Easement from Janyce C. Simmons for property located at 3387 South Pearce Drive.

Mr. Pyle stated Janyce C. Simmons had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He further reported the easement would automatically expire June 30, 2010.

K. RESOLUTION NO. 09-411, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM MELISSA PHILLIPS FOR PROPERTY LOCATED AT 3173 SOUTH PEARCE STREET

City Manager, Wayne Pyle, presented proposed Resolution No. 09-411 which would accept a Grant of Temporary Construction Easement from Melissa Phillips for property located at 3173 South Pearce Street.

Mr. Pyle stated Melissa Phillips had signed the Grant of Temporary Construction easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800

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South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

L. RESOLUTION NO. 09-412, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JOSEPH WILSON AND SANDRA WILSON FOR PROPERTY LOCATED AT 2744 WEST 3150 SOUTH

City Manager, Wayne Pyle, presented proposed Resolution No. 09-412 which would accept a Grant of Temporary Construction Easement from Joseph Wilson and Sandra Wilson for property located at 2744 West 3150 South.

Mr. Pyle stated Joseph Wilson and Sandra Wilson had signed the Grant of Temporary Construction Easement.

The City Manager stated the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He further reported the easement would automatically expire June 30, 2010.

M. RESOLUTION NO. 09-413, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM ROBERT J. SLOVENSKY AND MARIE SLOVENSKY FOR PROPERTY LOCATED AT 3440 SOUTH MEADOWLARK DRIVE

City Manager, Wayne Pyle, presented proposed Resolution No. 09-413 which would accept a Grant of Temporary Construction Easement from Robert J. Slovensky and Marie Slovensky for property located at 2744 West 3150 South.

Mr. Pyle stated Robert J. Slovensky and Marie Slovensky had signed the Grant of Temporary Construction Easement.

The City Manager stated the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority (UTA) light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He further reported the easement would automatically expire June 30, 2010.

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After discussion, Councilmember Coleman moved to approve Resolution Nos. 09-401, 09-402, 09-403, 09-404, 09-405, 09-406, 09-407, 09-408, 09-409, 09-410, 09-411, 09-412 and 09-413, as presented on the Consent Agenda. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, NOVEMBER 24, 2009, WAS ADJOURNED AT 6:47 P.M., BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, November 24, 2009.

Sheri McKendrick, MMC
City Recorder

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